

MAY 08 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yee-Chung Fu
Assignee: Advanced NuMicro Systems, Inc.
Title: Dimensions for a MEMS Scanning Mirror with Ribs and Tapered Comb Teeth
Serial No.: 10/828,946 Filing Date: April 20, 2004
Examiner: Karl I. Tamai Group Art Unit: 2834
Docket No.: ANS-P107

San Jose, California
May 8, 2006

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER OVER PENDING "REFERENCE" APPLICATIONS

Dear Sir:

Petitioner, Advanced NuMicro Systems, Inc., a California corporation having a place of business at 1469 Sturgeon Way, San Jose, California 95129, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Nos. 10/778,742 and 10/779,952, both filed on February 13, 2004, as such term is defined in 35 U.S.C. 154 to 156 and 173, and as the term of any patent granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference applications. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the instant application shall be commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the reference applications, "as the

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term of any patent granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patents on the pending reference applications," in the event that: any such patent: granted on the pending reference applications: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned represents that he is authorized to sign on behalf of Petitioner.

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| Certification of Facsimile Transmission | |
| I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. | |
|  Signature | 5/8/06 Date |

Respectfully submitted,



David C. Hsia
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